

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	James C. Bedingfield et al.	Examiner:	Daniel Jr., Willie J.
Serial No.:	09/877,967	Group Art Unit:	2617
Filed:	June 8, 2001	Docket No.:	60027.0103US01/BS 00241
Title:	System and Method for Providing a Simultaneous Ring Service for a Landline Telecommunications Unit and an Associated Wireless Telecommunications Unit		

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

AMENDMENT

Applicants respectfully request entry of the following RCE, Amendment, and remarks contained herein in response to the Final Office Action mailed July 18, 2007. Applicants respectfully submit that the amendment and remarks contained herein place the instant application in condition for allowance.

Amendments to the Claims are reflected in the listing of claims in this paper.

Remarks/Arguments follow the amendment sections of this paper.

AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing Of Claims:

Please amend the claims as follows:

1. (Currently Amended) A system for providing a simultaneous ring service for a subscriber, comprising:

a switch in communication with a wired terminal having a first identifier and associated with the subscriber for detecting a first terminating trigger specific to the service in response to an incoming communication to the wired terminal from a calling party, wherein the first terminating trigger is associated with the first identifier;

a service control point in communication with the switch for:

determining, in response to detection of the first terminating trigger by the switch, whether the wired terminal and an associated wireless terminal of the subscriber are available, wherein determining whether the wired terminal and the wireless terminal of the subscriber are available comprises,

determining whether the wired terminal is available,

determining whether the wireless terminal is available, and

determining whether the wireless terminal has a voice messaging system in response to determining that the wireless terminal is available,
and

determining that the associated wireless terminal has a voice messaging system; and

determining if [[the]] a calling party number matches [[the]] a subscriber wireless number stored at the service control point, wherein if the calling party number matches the subscriber wireless number the wireless terminal is deemed unavailable and if the calling party number does not match the wireless number the wireless terminal is deemed available; and

a services node in communication with the switch for receiving the incoming communication from the switch when the service control point determines that both the wired terminal and the wireless terminal are available, and, in response thereto, for placing first and second outgoing communications,

wherein the switch is further for routing the second outgoing communication to the wired terminal and for detecting a second terminating trigger associated with the wireless terminal in response to the first outgoing communication; and

wherein the service control point, in response to detection of the second terminating trigger by the switch, is further for interrogating a database for a second identifier associated with the wireless terminal and instructing the switch to route the first outgoing communication to the wireless terminal, wherein the services node is further configured for placing the second outgoing communication a predetermined time period after placing the first outgoing communication, and wherein when the wireless terminal has the voice messaging system, the voice messaging system will not answer before the wired terminal begins ringing.

wherein, if the wireless terminal is determined to have the voice messaging system, the second outgoing communication is placed before the first outgoing communication is answered by the voice messaging system.

2. (Previously Presented) The system of claim 1, wherein the services node is further for:

connecting the incoming communication to the wired terminal when the wired terminal is answered before the wireless terminal; and

connecting the incoming communication to the wireless terminal when the wireless terminal is answered before the wired terminal.

3. (Previously Presented) The system of claim 2, wherein the services node is further for:

dropping the first outgoing communication when the wired terminal is answered before the wireless terminal; and

dropping the second outgoing communication when the wireless terminal is answered before the wired terminal.

4. (Previously Presented) The system of claim 3, wherein the service control point includes an associated database storing the second identifier associated with the wireless terminal, and wherein the services node is not for storing the second identifier associated with the wireless terminal.

5. (Canceled)

6. (Previously Presented) The system of claim 1, wherein the service control point is for determining whether the wired terminal is available by sending a query message to the switch requesting a status of the wired terminal.

7. (Previously Presented) The system of claim 6, wherein the service control point is for determining whether the wireless terminal is available by sending a query message to a home location register requesting the status of the wireless terminal.

8. (Previously Presented) The system of claim 7, wherein the service control point is further for determining that the wireless terminal is available when the home location register does not respond to the query message within a predetermined time period.

9. (Previously Presented) The system of claim 1, wherein the service control point is further for instructing the switch to route the incoming communication to the wired terminal when the service control point determines that at least one of the wired terminal and the wireless terminal are not available.

10. (Currently Amended) A method for providing a simultaneous ring service for a subscriber, comprising:

detecting an incoming communication from a calling party to a wired terminal associated with a first identifier that is associated with the subscriber from a first terminating trigger associated with the first identifier;

determining, in response to detection of the incoming communication, whether the wired terminal and an associated wireless terminal of the subscriber are available, wherein determining whether the wired terminal and the wireless terminal of the subscriber are available comprises,

determining whether the wired terminal is available,

determining whether the wireless terminal is available, and

determining whether the wireless terminal has a voice messaging system in response to determining that the wireless terminal is available;

determining if [[the]] a calling party number matches a subscriber wireless number, wherein a directory number for the wireless terminal is stored at a service control point;

placing first and second outgoing communications when both the wired terminal and the wireless terminal are available, ...

wherein placing the first and second outgoing communications includes placing the first outgoing communication a predetermined time period before placing the second outgoing communication wherein the predetermined time period is configured to cause the wired terminal and the wireless terminal to begin ringing within 3 seconds of each other, and

wherein, if the wireless terminal is determined to have the voice messaging system, the second outgoing communication is placed before the first outgoing communication is answered by the voice messaging system;

routing the second outgoing communication to the wired terminal;
detecting a second terminating trigger associated with the wireless terminal in response to the first outgoing communication; and

routing, in response to detection of the second terminating trigger, the first communication to the wireless terminal, wherein when the wireless terminal has a voice messaging system, the voice messaging system will not answer before the wired terminal begins ringing.

11. (Previously Presented) The method of claim 10, further comprising:
connecting the incoming communication to the wired terminal when the wired terminal is answered before the wireless terminal; and
connecting the incoming communication to the wireless terminal when the wireless terminal is answered before the landline telecommunications unit.

12. (Previously Presented) The method of claim 11, further comprising:
dropping the first outgoing communication when the wired terminal is answered before the wireless terminal; and
dropping the second outgoing communication when the wireless terminal is answered before the wired terminal.

13. (Canceled)

14. (Previously Presented) The method of claim 10, wherein determining whether the wired terminal is available includes sending a query message requesting a status of the wired terminal.

15. (Previously Presented) The method of claim 14, wherein determining whether the wireless terminal is available includes sending a query message to a home location register requesting a status of the wireless terminal.

16. (Previously Presented) The method of claim 15, wherein determining whether the wireless terminal is available includes determining that the wireless terminal is available when the home location register does not respond to the query message within a predetermined time period.

17. (Previously Presented) The method of claim 10, further comprising routing the incoming communication to the wired terminal when it is determined that at least one of the wired terminal and the wireless terminal are not available.

18. (Currently Amended) A system for providing a simultaneous ring service for a subscriber, comprising:

means for detecting an incoming communication from a calling party using a calling party terminal to a wired terminal associated with a first identifier that is

associated with the subscriber from a first terminating trigger associated with the first identifier;

programmable determination means for determining, in response to detection of the incoming communication, whether the wired terminal and an associated wireless terminal of the subscriber are available, wherein programmable determination means for determining whether the wired terminal and the wireless terminal of the subscriber are available comprises,

programmable determination means for determining whether the wired terminal is available,

programmable determination means for determining whether the wireless terminal is available, and

programmable determination means for determining whether the wireless terminal has a voice messaging system in response to determining that the wireless terminal is available;

programmable determination means for determining, in response to detection of the incoming communication, whether an identifier associated with the calling party is identical to an identifier of the wireless terminal of the subscriber, the wireless terminal being associated with the wired terminal configured to receive the incoming communication from the calling party wherein the wireless terminal and the calling party terminal are the same terminal when the identifier associated with the calling party is identical to the identifier of the wireless terminal, wherein the identifier of the wireless terminal of the subscriber is stored in a service control point, wherein when the identifier

associated with the calling party does not match the identifier of the wireless terminal
the wireless terminal is deemed available;

programmable service means for placing first and second outgoing
communications when both the wired terminal and the wireless terminal are available
and when the calling party identifier is not identical to the wireless terminal identifier,
wherein, if the wireless terminal is determined to have the voice messaging system, the
second outgoing communication is placed before the first outgoing communication is
answered by the voice messaging system;

switching means for routing the second outgoing communication to the wired
terminal;

means for detecting a second terminating trigger associated with the wireless
terminal in response to the first outgoing communication; and

means for detecting when the wireless terminal has a voice messaging system;
and

switching means for routing, in response to detection of the second terminating
trigger, the first communication to the wireless terminal, wherein when the wireless
terminal has the voice messaging system, the voice messaging system will not answer,
before the wired terminal begins ringing.

19. (Previously Presented) The system of claim 18, wherein the programmable service means further include:

programmable switching means for connecting the incoming communication to the wired terminal when the wired terminal is answered before the wireless terminal; and

programmable switching means for connecting the incoming communication to the wireless terminal when the wireless terminal is answered before the wired terminal.

20. (Previously Presented) The system of claim 19, wherein the programmable service means further include:

programmable means for dropping the first outgoing communication when the wired terminal is answered before the wireless terminal; and

programmable means for dropping the second outgoing communication when the wireless terminal is answered before the wired terminal.

21. (Original) The system of claim 18, wherein the programmable service means for placing the first and second outgoing communications includes programmable service means for placing the first outgoing communication a predetermined time period before placing the second outgoing communication.

22. (Previously Presented) The system of claim 18, wherein the programmable means for determining whether the wired terminal is available includes programmable means for sending a query message requesting a status of the wired terminal.

23. (Previously Presented) The system of claim 22, wherein the programmable means for determining whether the wireless terminal is available includes programmable means sending a query message to a home location register requesting a status of the wireless terminal.

24. (Previously Presented) The system of claim 23, wherein the programmable means for determining whether the wireless terminal is available includes programmable means for determining that the wireless terminal is available when the home location register does not respond to the query message within a predetermined time period.

25. (Previously Presented) The system of claim 18, further comprising switching means for routing the incoming communication to the wired terminal when it is determined that at least one of the wired terminal and the wireless terminal are not available.

26. (Currently Amended) A computer readable medium having stored thereon computer-executable instructions for causing a computer to perform a method of providing a simultaneous ring service for a subscriber, the method comprising:

detecting an incoming communication from a calling party to a wired terminal associated with a first identifier that is associated with the subscriber from a first terminating trigger associated with the first identifier;

determining, in response to detection of the incoming communication, whether the wired terminal and an associated wireless terminal of the subscriber are available, wherein determining whether the wired terminal and the wireless terminal of the subscriber are available comprises,

determining whether the wired terminal is available,

determining whether the wireless terminal is available, and

determining whether the wireless terminal has a voice messaging system in response to determining that the wireless terminal is available;

determining if [[the]] a calling party number matches a subscriber wireless number, wherein a directory number for the wireless terminal is stored at a service control point;

placing first and second outgoing communications when both the wired terminal and the wireless terminal are available, wherein placing the first and second outgoing communications includes

placing the first outgoing communication a predetermined time period before placing the second outgoing communication,

wherein the predetermined time period is configured to cause the wired terminal and the wireless terminal to begin ringing within 3 seconds of each other, and

wherein, if the wireless terminal is determined to have the voice messaging system, the second outgoing communication is placed before the first outgoing communication is answered by the voice messaging system;
routing the second outgoing communication to the wired terminal;
detecting a second terminating trigger associated with the wireless terminal in response to the first outgoing communication; and
detecting when the wireless terminal has a voice messaging system; and
routing, in response to detection of the second terminating trigger, the first communication to the wireless terminal, wherein when the wireless terminal has the voice messaging system, the voice messaging system will not answer before the wired terminal begins ringing.

27. (Previously Presented) The computer readable medium of claim 26, the method further comprising:

connecting the incoming communication to the wired terminal when the wired terminal is answered before the wireless terminal; and

connecting the incoming communication to the wireless terminal when the wireless terminal is answered before the wired terminal.

28. (Previously Presented) The computer readable medium of claim 27, the method further comprising:

dropping the first outgoing communication when the wired terminal is answered before the wireless terminal; and

dropping the second outgoing communication when the wireless terminal is answered before the wired terminal

29. (Canceled)

30. (Previously Presented) The computer readable medium of claim 26, wherein the first identifier comprises at least a first telephone number and wherein the second identifier comprises at least a second telephone number that is different from the at least a first telephone number.

31. (Previously Presented) The system of claim 1, wherein the first identifier comprises at least a first telephone number and wherein the second identifier comprises at least a second telephone number that is different from the at least a first telephone number.

32. (Previously Presented) The method of claim 10, wherein the first identifier comprises at least a first telephone number and wherein the second identifier comprises at least a second telephone number that is different from the at least a first telephone number.

33. (Previously Presented) The system of claim 18, wherein the first identifier comprises at least a first telephone number and wherein the second identifier comprises at least a second telephone number that is different from the at least a first telephone number.

REMARKS

In response to the Final Office Action dated July 18, 2007, Applicants respectfully request reconsideration based on the above claim amendments and the following remarks. Applicants respectfully submit that the claims as presented are in condition for allowance. Reconsideration of the present application is respectfully requested in view of the following remarks. Prior to entry of this response, Claims 1-4, 6-12, 14-28, and 30-33 were pending in the application, of which Claims 1, 10, 18, and 26 are independent. In the Final Office Action, Claims 1-4, 6-12, 14-28, and 30-33 were rejected under 35 U.S.C. §103(a). Following this response, Claims 1-4, 6-12, 14-28, and 30-33 remain in this application. Applicants hereby address the Examiner's rejections in turn.

I. Rejection of Claims Under 35 U.S.C. § 103(a)

In the Final Office Action, the Examiner rejected Claims 1-4, 6-12, 14-28 and 30-33 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. No. 5,963,864 ("O'Neil") in view of U.S. Pat. No. 6,694, 004 ("Knoerle"). Claims 1, 10, 18, and 26 have been amended, and Applicants respectfully submit that the amendments overcome this rejection and add no new matter.

Amended Claim 1 is patentably distinguishable over the cited art for at least the reason that it recites, for example, "wherein determining whether the wired terminal and the wireless terminal of the subscriber are available comprises, determining whether the wired terminal is available, determining whether the wireless terminal is available, and determining whether the wireless terminal has a voice messaging system in response to

determining that the wireless terminal is available," and "wherein, if the wireless terminal is determined to have the voice messaging system, the second outgoing communication is placed before the first outgoing communication is answered by the voice messaging system." Amended Claims 10, 18, and 26 each includes a similar recitation. Support for these amendments can be found in the specification at least on page 4, lines 5-8 and page 5, lines 11-14.

Consistent with embodiments of the invention, once a switch detects an incoming call, a service control point may execute a series of verifications. (See specification, page 4, lines 5-6.) The service control point may verify whether a subscriber's landline telecommunications unit and a subscriber's wireless telecommunications unit are available. (See specification, page 4, lines 7-8.) Accordingly, attempts to reach a subscriber's wireless unit are only made when the wireless unit is available. (See specification, page 5, lines 11-12.) As a result, in situations where the subscriber's wireless telecommunications unit has a voice messaging system, the voice messaging system will not answer before the landline telecommunications unit rings. (See specification, page 5, lines 12-14.)

In contrast, O'Neil at least does not disclose the aforementioned recitations. For example, O'Neil discloses a system and method for providing telecommunication extension services to a subscriber unit. (See abstract, lines 1-2.) O'Neil's method for telecommunication extension services comprises a check to determine whether an appropriate wireless unit is available for communication. (See col. 29, lines 23-24.) If the wireless unit is not available, then O'Neil provides conventional telecommunications services to the subscriber unit. (See col. 29, lines 25-27.) However, if the check in

O'Neil determines that the wireless unit is available, ringing is provided to the wireless unit and a corresponding wireline unit. (See col. 29, lines 29-31.) No where in O'Neil does it disclose determining whether the wireless terminal has a voice messaging system in response to determining that the wireless terminal is available. Furthermore, O'Neil can not teach or suggest a second outgoing communication being placed before a first outgoing communication is answered by a voice messaging system because O'Neil remains completely silent regarding voice messaging system determination. Rather, O'Neil provides ringing to a wireline and wireless unit without voice messaging system detection.

Furthermore, Knoerle does not overcome O'Neil's deficiencies. Knoerle discloses a simultaneous ringing service to a plurality of customer premises equipment. (See Abstract, lines 1-2.) In Knoerle, a centralized database of subscriber information and a service node is utilized to make multiple outbound calls from the service node to multiple telephone lines assigned to a subscriber. (See Abstract, lines 3-6.) Inbound calls to a primary subscriber wireline are intercepted and Knoerle's simultaneous ringing service is implemented. (See Abstract, lines 7-10.) For example, the subscriber in Knoerle may designate two different wireless lines and two other wirelines to receive simultaneous ringing. (See col. 5, lines 44-46.) When Knoerle's simultaneous ringing service receives a call, it sets a plurality of call timers. (See col. 5, lines 53-54.) Accordingly, a Call_Timer is set to the maximum time allowed for Knoerle's simultaneous ringing service to operate. (See col. 5, lines 55-57.) In Knoerle, if the Call_Timer expires before any secondary lines are answered, the received call is connected to the primary subscriber wireline. (See col. 5, lines 58-60.) No where in

Knoerle does it disclose determining whether the wireless terminal has a voice messaging system in response to determining that the wireless terminal is available. Furthermore, *Knoerle* can not teach or suggest a second outgoing communication being placed before a first outgoing communication is answered by a voice messaging system because *Knoerle* remains completely silent regarding voice messaging system determination. Rather, *Knoerle*'s simultaneous ringing service places outgoing calls based on call timers rather than voice messaging system detection.

Combining *O'Neil* with *Knoerle* would not have led to the claimed invention because *O'Neil* and *Knoerle*, either individually or in combination, at least does not "wherein determining whether the wired terminal and the wireless terminal of the subscriber are available comprises, determining whether the wired terminal is available, determining whether the wireless terminal is available, and determining whether the wireless terminal has a voice messaging system in response to determining that the wireless terminal is available," and "wherein, if the wireless terminal is determined to have the voice messaging system, the second outgoing communication is placed before the first outgoing communication is answered by the voice messaging system," as recited by amended Claim 1. Amended Claims 10, 18, and 26 each includes a similar recitation. Accordingly, independent Claims 1, 10, 18, and 26 each patentably distinguishes the present invention over the cited art, and Applicants respectfully request withdrawal of this rejection of Claims 1, 10, 18, and 26.

Dependent Claims 2-4, 6-9, 11-12, 14-17, 19-25, 27-28, and 30-33 are also allowable at least for the reasons described above regarding independent Claims 1, 10, 18, and 26, and by virtue of their respective dependencies upon independent Claims 1,

10, 18, and 26. Accordingly, Applicants respectfully request withdrawal of this rejection of dependent Claims 2-4, 6-9, 11-12, 14-17, 19-25, 27-28, and 30-33.

II. Conclusion

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the pending claims. The preceding arguments are based only on the arguments in the Final Office Action, and therefore do not address patentable aspects of the invention that were not addressed by the Examiner in the Final Office Action. The claims may include other elements that are not shown, taught, or suggested by the cited art. Accordingly, the preceding argument in favor of patentability is advanced without prejudice to other bases of patentability. Furthermore, the Final Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Final Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725.

Respectfully submitted,
MERCHANT & GOULD P.C.

P.O. Box 2903
Minneapolis, MN 55402-0903
404.954.5066

Date: September 26, 2007

DKS:YE:mdc

/D. Kent Stier/

D. Kent Stier
Reg. No. 50,640

39262
PATENT TRADEMARK OFFICE